

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

RONALD KRYZANOWSKY AND
LEANA KRYZANOWSKY, on behalf
of themselves and all others similarly
situated, *et al.*,

No. C 07-05362 SBA

ORDER

[Docket No. 66]

Plaintiffs,

V.

ORKIN EXTERMINATING
COMPANY, INC., *et al.*,

Defendants.

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12 Before the Court is plaintiffs' Motion for Order Shortening Time to Hear Motion to Continue
13 the Trial Date and Corresponding Deadlines (the "Motion to Shorten Time") [Docket No. 66]. For
14 the following reasons the Court DENIES the Motion to Shorten Time. Along with the Motion to
15 Shorten Time, plaintiffs filed a Motion to Continue Trial Date and Corresponding Deadlines (the
16 "Motion to Continue") [Docket No. 67], under Civil Local Rule 6-3. In the Motion to Continue,
17 plaintiffs correctly note that under Civil Local Rule 40-1, a party may seek to continue a trial date by
18 a motion filed under Civil Local Rule 7. This latter rule provides, *inter alia*, for noticed motions
19 under Civil Local Rule 7-2 and for motions to enlarge or shorten time under Civil Local Rule 6-1.
20 This latter rule provides for stipulations filed under Civil Local Rule 6-2 and for motions filed under
21 Civil Local Rule 6-3. N.D. Cal. Civ. L.R. 6-1(b).

22 In turn, Rule 6-3 provides for motions of five pages or less, and oppositions of the same
23 length filed three days after the filing of a motion, unless otherwise ordered by the Court. *Id.* 6-3(a),
24 (c). It also provides that after the filing of a motion and opposition under Rule 6-3, the Court may
25 dispose of the motion, require further briefing, or set a hearing. *Id.* 6-3(d). *Rule 6-3 does not*
26 *provide for hearings as a matter of course.* Thus, as plaintiffs have filed the Motion to Continue
27 under Rule 6-3, defendants may respond under Rule 6-3(c), and the Court will then proceed under
28 Rule 6-3(d). If the Court requires a hearing, it will set one. As there currently is no hearing date to

1 advance in time, the Court DENIES plaintiffs' Motion for Order Shortening Time to Hear Motion to
2 Continue the Trial Date and Corresponding Deadlines [Docket No. 66].

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4 IT IS SO ORDERED.

5
6 October 17, 2008

Saundra B. Armstrong
Saundra Brown Armstrong
United States District Judge

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